

SENATE MOTION

MR. PRESIDENT:

I move that Engrossed House Bill 1902 be amended to read as follows:

- 1 Page 15, line 1, after "next" insert "**primary or**".
- 2 Page 31, delete lines 41 through 42, begin a new line block indented
- 3 and insert:
- 4 **"(1) Twenty-five percent (25%) of the admissions tax collected**
- 5 **during the quarter shall be paid to the county treasurer of the**
- 6 **county in which the riverboat is docked. The county treasurer**
- 7 **shall distribute the money received under this subdivision as**
- 8 **follows:**
- 9 **(A) Twenty percent (20%) shall be quarterly distributed to**
- 10 **the county treasurer of a county having a population of**
- 11 **more than thirty-nine thousand six hundred (39,600) but**
- 12 **less than forty thousand (40,000) for appropriation by the**
- 13 **county fiscal body after receiving a recommendation from**
- 14 **the county executive. The county fiscal body for the**
- 15 **receiving county shall provide for the distribution of the**
- 16 **money received under this clause to one (1) or more taxing**
- 17 **units (as defined in IC 6-1.1-1-21) in the county under a**
- 18 **formula established by the county fiscal body after**
- 19 **receiving a recommendation from the county executive.**
- 20 **(B) Twenty percent (20%) shall be quarterly distributed to**
- 21 **the county treasurer of a county having a population of**
- 22 **more than ten thousand seven hundred (10,700) but less**
- 23 **than twelve thousand (12,000) for appropriation by the**
- 24 **county fiscal body. The county fiscal body for the receiving**
- 25 **county shall provide for the distribution of the money**
- 26 **received under this clause to one (1) or more taxing units**
- 27 **(as defined in IC 6-1.1-1-21) in the county under a formula**
- 28 **established by the county fiscal body after receiving a**
- 29 **recommendation from the county executive.**
- 30 **(C) Sixty percent (60%) shall be retained by the county**
- 31 **where the riverboat is docked for appropriation by the**

county fiscal body after receiving a recommendation from the county executive. The county fiscal body shall provide for the distribution of part or all of the money received under this clause to the following under a formula established by the county fiscal body:

- (i) A town having a population of more than two thousand two hundred (2,200) but less than three thousand five hundred (3,500) located in a county having a population of more than nineteen thousand three hundred (19,300) but less than twenty thousand (20,000).
- (ii) A town having a population of more than three thousand five hundred (3,500) located in a county having a population of more than nineteen thousand three hundred (19,300) but less than twenty thousand (20,000)."

Page 32, delete lines 1 through 18.

Page 38, delete lines 40 through 42, begin a new line block indented and insert:

"(5) Ten percent (10%) shall be paid to the county treasurer of the county in which the riverboat is docked. The county treasurer shall distribute the money received under this subdivision as follows:

(A) Twenty percent (20%) shall be quarterly distributed to the county treasurer of a county having a population of more than thirty-nine thousand six hundred (39,600) but less than forty thousand (40,000) for appropriation by the county fiscal body after receiving a recommendation from the county executive. The county fiscal body for the receiving county shall provide for the distribution of the money received under this clause to one (1) or more taxing units (as defined in IC 6-1.1-1-21) in the county under a formula established by the county fiscal body after receiving a recommendation from the county executive.

(B) Twenty percent (20%) shall be quarterly distributed to the county treasurer of a county having a population of more than ten thousand seven hundred (10,700) but less than twelve thousand (12,000) for appropriation by the county fiscal body after receiving a recommendation from the county executive. The county fiscal body for the receiving county shall provide for the distribution of the money received under this clause to one (1) or more taxing units (as defined in IC 6-1.1-1-21) in the county under a formula established by the county fiscal body after receiving a recommendation from the county executive.

(C) Sixty percent (60%) shall be retained by the county where the riverboat is docked for appropriation by the county fiscal body after receiving a recommendation from the county executive. The county fiscal body shall provide

for the distribution of part or all of the money received under this clause to the following under a formula established by the county fiscal body:

- (i) A town having a population of more than two thousand two hundred (2,200) but less than three thousand five hundred (3,500) located in a county having a population of more than nineteen thousand three hundred (19,300) but less than twenty thousand (20,000).
- (ii) A town having a population of more than three thousand five hundred (3,500) located in a county having a population of more than nineteen thousand three hundred (19,300) but less than twenty thousand (20,000).".

Page 39, delete lines 1 through 16.

Page 48, after line 25, begin a new paragraph and insert:

"SECTION 63. [EFFECTIVE JULY 1, 2003] (a) **This SECTION applies to a county containing a qualified historic hotel (as defined in IC 36-7-11.5-1, as added by this act).**

(b) **Notwithstanding IC 4-33-6-19, if:**

- (1) **the legislative body of the county adopts an ordinance under IC 4-33-6-18; or**
- (2) **at least five percent (5%) of the registered voters of the county sign a petition submitted to the circuit court clerk requesting that a local public question concerning riverboat gambling be placed on the ballot;**

the county election board shall place the question described in subsection (c) on the ballot in the county during a special election held in 2003 that meets the conditions set forth in subsection (d).

(c) **The following is the form of the question that shall be placed on the ballot:**

"Shall riverboat gambling be permitted in the county of _____?".

(d) **A special election may be held in 2003 in conjunction with municipal elections held in the county if an applicant for an operating agent contract pays in advance of the election the amount that is the difference between the cost to hold a special election and the sum of the costs to hold municipal elections in the county, as determined by the county election board.**

(e) **A public question under this SECTION shall be placed on the ballot in accordance with IC 3-10-9.**

(f) **The clerk of the circuit court of a county holding an election under this SECTION shall certify the results determined under IC 3-12-4-9 to the Indiana gaming commission and the department of state revenue. The results shall be treated as if the election had been held under IC 4-33-6-19.**

(g) **If a public question is placed on the ballot under this SECTION in a county and the voters of the county do not vote in favor of permitting riverboat gambling in the county, another**

1 public question under IC 4-33-6-19, as amended by this act, may
2 not be held in the county for at least two (2) years.

3 (h) In a special election held under this SECTION:

4 (1) IC 3 applies except as otherwise provided in this
5 SECTION; and

6 (2) at least as many precinct polling places that were used in
7 the county during the most recent general election must be
8 used for the special election.

9 (i) IC 4-33-10-2.5(g) applies to the special election held under
10 this SECTION to the same extent as if the election had been held
11 under IC 4-33-6-19.

12 (j) This SECTION expires January 1, 2004."

13 Renumber all SECTIONS consecutively.

(Reference is to EHB 1902 as printed April 8, 2003.)

Senator WEATHERWAX